

**IN THE FEDERAL DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
CIVIL DIVISION**

**MARY JONES and;  
JOSEPH ALFORD**

**Plaintiffs,**

**THOMAS FLATHMANN individually and )**  
**in his official capacity as a Houston County Sheriff's Deputy, )**

## Defendants.

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)  
)  
) **Case No.: 1:06-cv-585**  
)  
) **JURY DEMAND**  
)  
)  
)

**MOTION FOR DEFAULT JUDGMENT**

**COMES NOW**, Plaintiffs Mary Jones and Joseph Alford, by and through the undersigned counsel and makes this their Motion for Default Judgment based on the following:

1. On April 4, 2007 Defendant Thomas M. Flathmann was properly served with a summons and copy of the amended complaint.
2. To date, and well beyond the time allowed for Defendant's Answer, Defendant Thomas M. Flathmann has failed to plead or otherwise defend the properly served complaint.
3. Pursuant to rule 55 Federal Rules of Civil Procedure Plaintiffs are entitled to a default judgment against Defendant Thomas M. Flathmann.

**WHEREFORE**, Plaintiffs requests a default judgment against Defendant Thomas M. Flathmann and requests a damages hearing at this Honorable Courts earliest convenience beyond thirty (30) days from the date hereon.

**RESPECTFULLY SUBMITTED** this the 6<sup>th</sup> day of August, 2007.

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**CERTIFICATE OF SERVICE**

I do hereby certify that I have served a copy of the foregoing this the 6<sup>th</sup> day of August, 2007  
by electronically filing same with the Clerk of the Court via the CM/ECF system to the below listed  
counsel:

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s/ Michael Guy Holton  
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